

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION**

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<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	
<b>v.</b>	)	<b>No. 1:20-cv-1219-STA-jay</b>
	)	
<b>\$16,290 IN UNITED STATES CURRENCY,</b>	)	
	)	
<b>Defendant.</b>	)	
	)	
<b>and</b>	)	
	)	
<b>ROLANDO LOPEZ,</b>	)	
	)	
<b>Claimant.</b>	)	

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**ORDER ADOPTING REPORT AND RECOMMENDATION  
ORDER GRANTING PLAINTIFF’S MOTION TO DISMISS (ECF NO. 55), GRANTING  
IN PART COUNSEL’S MOTION FOR ATTORNEY’S FEES (ECF NO. 60), AND  
DENYING CLAIMANT’S MOTION FOR EVIDENTIARY CONFERENCE AS MOOT  
(ECF NO. 62)  
ORDER OF DISMISSAL WITHOUT PREJUDICE**

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Before the Court is the United States Magistrate Judge’s report and recommendation (ECF No. 63) filed January 9, 2024. The Magistrate Judge has recommended that the Court grant the United States of America’s Motion to Dismiss (ECF No. 55) this action without prejudice. The Magistrate Judge has further recommended that counsel for Claimant Rolando Lopez receive an attorney’s fee in the amount of \$1,000.00 to be awarded from the Court’s Pro Bono Expense Fund and that the Court overrule Claimant’s objections to the fee award. Each party had 14 days from the service of the Magistrate Judge’s report in which to file objections. No objections have been filed, and the time to object has now expired.

Congress enacted 28 U.S.C. § 636 to relieve the burden on the federal judiciary by

permitting the assignment of district court duties to magistrate judges. *See United States v. Curtis*, 237 F.3d 598, 602 (6th Cir. 2001) (citing *Gomez v. United States*, 490 U.S. 858, 869-70 (1989)); *see also Baker v. Peterson*, 67 F. App'x 308, 310 (6th Cir. 2003). The Magistrate Judge has recommended that the Court grant Plaintiff's Motion to Dismiss and award attorney's fees pursuant to 28 U.S.C. § 636(b)(1)(B). While "a district judge must determine de novo any part of a Magistrate Judge's disposition that has been properly objected to," Fed. R. Civ. P. 72(b); 28 U.S.C. § 636(b)(1)(C), the district court is not required to review (under a de novo or any other standard) "any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 150 (1985). The district court should adopt the findings and rulings of the Magistrate Judge to which no specific objection is filed. *Id.* at 151.

In the absence of any objection to the Magistrate Judge's recommendation, the Court hereby **ADOPTS** the Magistrate Judge's report and recommendation. This matter is hereby **DISMISSED** without prejudice. Counsel for Claimant's Motion for Attorney's Fees is **GRANTED** in part. The Clerk of Court is directed to disburse fees in the amount of \$1,000.00 to counsel Alex D. Camp, Esq., from the Court's Pro Bono Expense Fund. Claimant's request to deny counsel's Motion for Attorney's Fees is **DENIED** as moot.

**IT IS SO ORDERED.**

s/ **S. Thomas Anderson**  
S. THOMAS ANDERSON  
UNITED STATES DISTRICT JUDGE

Date: January 30, 2024